

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01077-EGS

CENTER FOR PUBLIC INTEGRITY v. U.S. DEPARTMENT
OF COMMERCE

Assigned to: Judge Emmet G. Sullivan

Case: 1:17-cv-02426-EGS

Cause: 05:552 Freedom of Information Act

Plaintiff

CENTER FOR PUBLIC INTEGRITY

represented by **Peter Newbatt Smith**
CENTER FOR PUBLIC INTEGRITY
910 17th Street, NW
7th Floor
Washington, DC 20006
(202) 481-1239
Fax: (202) 466-1102
Email: psmith@publicintegrity.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF
COMMERCE**

represented by **Patricia K. McBride**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-7123
Fax: (202) 252-2599
Email: patricia.mcbride@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alexander Daniel Shoaibi
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2511
Fax: (202) 252-2599
Email: alexander.d.shoaibi@usdoj.gov
TERMINATED: 09/24/2018

Date Filed	#	Docket Text
05/08/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF COMMERCE (Filing fee \$ 400 receipt number 0090-5468270) filed by CENTER FOR PUBLIC INTEGRITY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons to Dept of Commerce, # <u>3</u> Summons to US Atty, # <u>4</u> Summons to Atty Gen)(Smith, Peter) (Attachment 1 replaced on 5/9/2018) (zmd). (Entered: 05/08/2018)
05/08/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR PUBLIC INTEGRITY (Smith, Peter) (Main Document 2 replaced on 5/9/2018) (zmd). (Entered: 05/08/2018)
05/08/2018	<u>3</u>	NOTICE OF RELATED CASE by CENTER FOR PUBLIC INTEGRITY. Case related to Case No. 17-2426. (Smith, Peter) (Main Document 3 replaced on 5/9/2018) (zmd). (Entered: 05/08/2018)

05/08/2018		Case Assigned to Judge Emmet G. Sullivan. (zmd) (Entered: 05/09/2018)
05/10/2018	<u>4</u>	STANDING ORDER: The parties are directed to read the attached Standing Order Governing Civil Cases Before Judge Emmet G. Sullivan in its entirety upon receipt. The parties are hereby ORDERED to comply with the directives in the attached Standing Order. Signed by Judge Emmet G. Sullivan on 05/10/18. (Attachment: # <u>1</u> Exhibit 1) (zmac) (Entered: 05/10/2018)
05/11/2018	<u>5</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF COMMERCE, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 05/11/2018)
05/14/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/14/2018. Answer due for ALL FEDERAL DEFENDANTS by 6/13/2018. (Smith, Peter) (Entered: 05/14/2018)
05/21/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF COMMERCE served on 5/21/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/21/2018. (Attachments: # <u>1</u> Exhibit Return Receipt – Commerce Dep't, # <u>2</u> Exhibit Return Receipt – Attorney General)(Smith, Peter) (Entered: 05/21/2018)
06/11/2018	<u>8</u>	NOTICE of Appearance by Alexander Daniel Shoaibi on behalf of U.S. DEPARTMENT OF COMMERCE (Shoaibi, Alexander) (Entered: 06/11/2018)
06/11/2018	<u>9</u>	First MOTION for Extension of Time to <i>Respond to Complaint</i> by U.S. DEPARTMENT OF COMMERCE (Shoaibi, Alexander) (Entered: 06/11/2018)
06/12/2018	<u>10</u>	RESPONSE re <u>9</u> First MOTION for Extension of Time to <i>Respond to Complaint</i> filed by CENTER FOR PUBLIC INTEGRITY. (Smith, Peter) (Entered: 06/12/2018)
06/25/2018	<u>11</u>	ANSWER to Complaint by U.S. DEPARTMENT OF COMMERCE.(Shoaibi, Alexander) (Entered: 06/25/2018)
07/13/2018		MINUTE ORDER. Plaintiff brings this action pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. The parties are directed to meet and confer and propose a joint scheduling order for further proceedings in this case by no later than August 1, 2018. The parties' joint proposed scheduling order shall address the following: (1) The status of plaintiff's FOIA request; (2) The anticipated number of documents responsive to plaintiff's FOIA request; (3) The anticipated date(s) for release of documents responsive to plaintiff's FOIA request; (4) Whether a motion for an Open America stay is likely in this case; (5) Whether a Vaughn index will be required in this case; (6) Whether this case would benefit from referral to a magistrate judge or the District Court Mediation Program for purposes of settlement; and (7) A proposed briefing schedule for dispositive motions, if applicable. If the parties are unable to agree on a joint recommendation, the joint proposed scheduling order shall include each party's individual recommendations. The parties are FURTHER ORDERED to show cause why the case should not be consolidated with related civil case number 17–2426 by no later than August 1, 2018. Signed by Judge Emmet G. Sullivan on 7/13/2018. (lcegs3) (Entered: 07/13/2018)
08/01/2018	<u>12</u>	MOTION for Extension of Time to <i>comply with the Court's Minute Order of July 13, 2018</i> , by CENTER FOR PUBLIC INTEGRITY (Attachments: # <u>1</u> Text of Proposed Order)(Smith, Peter) (Entered: 08/01/2018)
08/02/2018		MINUTE ORDER treating as opposed and granting <u>12</u> plaintiff's motion for an extension of time. The parties shall comply with the Court's minute order dated July 13, 2018, by no later than August 10, 2018. Signed by Judge Emmet G. Sullivan on 8/2/2018. (lcegs2) (Entered: 08/02/2018)
08/03/2018		Set/Reset Deadlines: Joint Proposed Scheduling Order due by 8/10/2018. (mac) (Entered: 08/03/2018)
08/10/2018	<u>13</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF COMMERCE. (McBride, Patricia) (Entered: 08/10/2018)

08/10/2018		MINUTE ORDER. In light of <u>13</u> the parties' joint status report, the parties are ordered to submit a further joint status report by no later than August 31, 2018. Signed by Judge Emmet G. Sullivan on 8/8/2018. (lcegs2) (Entered: 08/10/2018)
08/13/2018		Set/Reset Deadlines: Joint Status Report due by 8/31/2018. (mac) (Entered: 08/13/2018)
08/31/2018	<u>14</u>	Joint STATUS REPORT by CENTER FOR PUBLIC INTEGRITY. (Smith, Peter) (Entered: 08/31/2018)
08/31/2018		MINUTE ORDER. In light of <u>14</u> the parties' joint status report, the parties are ordered to submit a further joint status report by no later than September 24, 2018. Signed by Judge Emmet G. Sullivan on 8/31/2018. (lcegs2) (Entered: 08/31/2018)
09/04/2018		Set/Reset Deadlines: Joint Status Report due by 9/24/2018. (mac) (Entered: 09/04/2018)
09/24/2018	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF COMMERCE. (McBride, Patricia) (Entered: 09/24/2018)
09/24/2018	<u>16</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Patricia K. McBride on behalf of U.S. DEPARTMENT OF COMMERCE Substituting for attorney Alexander Shoabi (McBride, Patricia) (Entered: 09/24/2018)
09/28/2018		MINUTE ORDER. In light of <u>15</u> the parties' joint status report, the parties are directed to file a further joint status report by no later than November 20, 2018. Signed by Judge Emmet G. Sullivan on 9/28/2018. (lcegs2) (Entered: 09/28/2018)
09/28/2018		Set/Reset Deadlines: Joint Status Report due by 11/20/2018. (mac) (Entered: 09/28/2018)
11/20/2018	<u>17</u>	STATUS REPORT by U.S. DEPARTMENT OF COMMERCE. (McBride, Patricia) (Entered: 11/20/2018)
12/03/2018		MINUTE ORDER directing defendants to file a joint status report by no later than December 20, 2018. The status report shall include the expected completion date for document review, and the number of documents still in processing. Signed by Judge Emmet G. Sullivan on 12/3/2018. (lcegs2) (Entered: 12/03/2018)
12/03/2018		Set/Reset Deadlines: Joint Status Report due by 12/20/2018. (mac) (Entered: 12/03/2018)
12/20/2018	<u>18</u>	STATUS REPORT by U.S. DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Text of Proposed Order)(McBride, Patricia) (Entered: 12/20/2018)
12/20/2018	<u>19</u>	ENTERED IN ERROR.....STATUS REPORT by CENTER FOR PUBLIC INTEGRITY. (Attachments: # <u>1</u> Text of Proposed Order)(Smith, Peter) Modified on 12/21/2018 (jf). (Entered: 12/20/2018)
12/20/2018	<u>20</u>	RESPONSE re <u>18</u> Status Report filed by CENTER FOR PUBLIC INTEGRITY. (Attachments: # <u>1</u> Text of Proposed Order)(jf) (Entered: 12/21/2018)
12/21/2018		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>19</u> Status Report was entered in error and refiled by Clerk's Office under the correct category. (jf) (Entered: 12/21/2018)
01/02/2019		MINUTE ORDER. Upon consideration of the defendant's status report and the response thereto, the parties are directed to file a further status report by no later than January 24, 2019. The status report shall include the outstanding number of documents remaining for processing and production, if any. The parties are further directed to include a joint proposed production schedule for the remaining documents. If the parties cannot agree on a joint schedule, each party shall file a separate proposed schedule. Signed by Judge Emmet G. Sullivan on 1/2/2019. (lcegs2) (Entered: 01/02/2019)
01/03/2019		Set/Reset Deadlines: Further Status Report due by 1/24/2019. (mac) (Entered: 01/03/2019)
01/23/2019	<u>21</u>	Consent MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by U.S. DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Text of

		Proposed Order)(Hudak, Brian) (Entered: 01/23/2019)
01/25/2019		MINUTE ORDER denying motion to stay and granting extension to file joint status report. The parties are directed to file a joint status report with a recommendation for further proceedings by no later than February 18, 2019. Signed by Judge Emmet G. Sullivan on 1/25/2019. (lcegs2) (Entered: 01/25/2019)